

## REMARKS

### Status of the Claims

After entry of the foregoing amendments, claims 1-2, 5, 7, 10, 12-13, 15-16, 18, 21, and 23-47 are pending in the present application. Claims 1, 18, 34, and 41 are the independent claims. Applicant has amended claims 1-2, 5, 7, 10, 12-13, 15-16, 18, 21, and 23-29 herein, mainly to place the claims in better form under U.S. practice. Applicant also has added new claims 30-47 to provide an additional scope of protection commensurate with the original disclosure. Additionally, Applicant has canceled claims 3-4, 6, 8-9, 11, 14, 17, 19-20, and 22 herein without prejudice to or disclaimer of the subject matter recited therein. No new matter has been added.

### Summary of the Office Action

In the Office Action dated June 29, 2005, claims 1-6, 8-10, 12, 14-19, 21, 22, and 30 were rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 4,822,997 to *Fuller et al.* (“*Fuller*”); claims 1-26, 28, and 30 were rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,742,718 to *Harman et al.* (“*Harman*”); and claims 27-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Harman*. Applicant respectfully traverses those rejections.

### Response to Claim Rejections

#### Independent Claims 1 and 18

Regarding independent claims 1 and 18, Applicant submits that none of the documents cited by the Examiner, either alone or in combination, teach or suggest at least the features of: (1) a transponder comprising a readable and writable data medium operable to store identity data and specific data, the transponder being coupled to the light guide such that the transponder cannot be removed from the light guide without damaging the transponder; and (2) wherein the transponder is configured such that it cannot delete, overwrite, or modify the stored specific data or identity data, as presently recited in amended independent claims 1 and 18.

Independent Claims 1 and 18 are Patentable over Fuller

*Fuller* discloses a non-volatile memory 130 included within a fiber optic cable assembly. (Col. 2, lines 64-65). The memory 130 can be housed within a mating half 118b of a connector 118 so that the memory 130 travels with the fiber optic cable assembly 114 upon disconnection and reconnection of the cable assembly 114 to a housing 16 or a similar device. (Col. 2, lines 66-68 and Col. 3, lines 1-3).

*Fuller* does not disclose that a transponder comprises the memory 130. In addition, *Fuller* does not disclose that the transponder is (1) coupled to a light guide such that the transponder cannot be removed from the light guide without damaging the transponder; or (2) configured such that it cannot delete, overwrite, or modify the stored specific data or identity data, as presently recited in amended independent claims 1 and 18.

Independent Claims 1 and 18 are Patentable over Harmon

*Harman* discloses a data module 70 coupled to a strain relief boot 60 of a fiber optic system 10. (Col. 5, lines 58-64). The data module 70 comprises a smart card 77 contained within a protective housing 73. (Col. 5, lines 61-64). The smart card 77 comprises an RF interface, a control unit, and a read/write memory. (Col. 5, lines 58-61). A top wall 74 and a bottom wall 75 of the housing 73 are removably secured together with the smart card 77, containing a Mifar PCB and ASIC chip component 78, sandwiched between. (Col. 6, lines 5-9). Preferably, the attachment is such to allow recovery of the PCB and ASIC chip, which may be re-programmed for re-use. (Col. 6, lines 14-17).

*Harman* does not disclose that a transponder comprises the read/write memory of the smart card 77. *Harman* also does not disclose that the transponder is coupled to a light guide such that the transponder cannot be removed from the light guide without damaging the transponder, as presently recited in amended independent claims 1 and 18. Instead, Applicant submits that, by disclosing that the top wall 74 and bottom wall 75 of the housing 73 are removably secured together to allow recovery and re-use of the PCB and ASIC chip of the smart card 77, *Harman* discloses that the smart card 77 comprising the read/write memory can readily be removed from the strain relief boot 60 of the fiber optic system 10 without causing damage to either the smart card 77 or the read/write memory.

*Harman* further fails to disclose that the transponder is configured such that it cannot delete, overwrite, or modify the stored specific data or identity data, as presently recited in amended independent claims 1 and 18. Rather, Applicant submits that, by disclosing that the attachment of the top and bottom walls of the housing 73 is preferably such that the PCB and ASIC chip can be re-programmed for re-use, *Harman* discloses that the data stored in the smart card 77 can be readily deleted, overwritten, and modified.

Thus, Applicant respectfully requests withdrawal of the outstanding rejections and allowance of independent claims 1 and 18.

**New Independent Claim 34**

New independent claim 34 also is distinguishable from the documents cited by the Examiner. For example, as with independent claims 1 and 18 discussed above, Applicant submits that none of the documents cited by the Examiner, either alone or in combination, teach or suggest at least the feature of a transponder comprising a readable and writable data medium operable to store identity data and specific data, the transponder being coupled to the light guide such that the transponder cannot be removed from the light guide without damaging the transponder, as recited in new independent claim 34. In addition, Applicant submits that none of the documents cited by the Examiner, either alone or in combination, teach or suggest at least the feature of the transponder being configured to store the transmitted specific data as a new data set and to apply encryption to the new data set, thus preventing any already stored specific data from being deleted, overwritten, or modified, as recited in new independent claim 34. Accordingly, Applicant respectfully requests the timely allowance of claim 34.

**New Independent Claim 41**

New independent claim 41 also is distinguishable from the documents cited by the Examiner. For example, as with independent claims 1 and 18 discussed above, Applicant submits that none of the documents cited by the Examiner, either alone or in combination, teach or suggest at least the feature of a transponder comprising a readable and writable data medium operable to store identity data and specific data, the transponder being configured such that it

cannot delete, overwrite, or modify the stored data. Accordingly, Applicant respectfully requests the timely allowance of claim 41.

Dependent Claims

Claims 2, 5, 7, 10, 12-13, 15-16, and 31-33 depend either directly or indirectly from independent claim 1. Claims 21 and 23-30 depend either directly or indirectly from independent claim 18. Claims 35-40 depend either directly or indirectly from independent claim 34. Claims 42-47 depend either directly or indirectly from independent claim 41. Accordingly, for at least the reasons discussed above with respect to independent claims 1, 18, 34, and 41, dependent claims 2, 5, 7, 10, 12-13, 15-16, 23-30, 31-33, 35-40, and 42-47 are likewise deemed to be patentable over the documents of record. The dependent claims also recite additional features that further define the claimed invention over the cited documents. Applicant submits that the cited documents do not disclose, teach, or suggest integrating any of those additional features into the presently claimed invention. Accordingly, Applicant requests separate and individual consideration of each dependent claim. Minor conforming and/or clarifying amendments have been made to several of the dependent claims. Such amendments were not made in view of the prior art.

**CONCLUSION**

Applicant submits the foregoing as a full and complete response to the Office Action mailed June 29, 2005. Applicant submits that this Amendment and Response places the application in condition for allowance and respectfully requests such action. If any issues exist that can be resolved with an Examiner's Amendment or a telephone conference, please contact Applicant's undersigned attorney at 404.572.2809.

Respectfully submitted,



William O. Isaacs, II  
Reg. No. 44,165

King & Spalding LLP  
45<sup>th</sup> Floor  
191 Peachtree Street, N.E.  
Atlanta, Georgia 30303  
404.572.4600